

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:	*	CASE NO. 00-00801 GAC
	*	
WILFREDO DE JESUS RIVERA	*	CHAPTER 13
SONIA M. HERNANDEZ MELENDEZ	*	
	*	ADVERSARY 04-00165 GAC
DEBTORS	*	.
	*	

WILFREDO DE JESUS RIVERA	*	
SONIA M. HERNANDEZ MELENDEZ	*	
	*	
APPELLEES-PLAINTIFFS	*	
	*	
V.	*	
	*	
GENERAL ELECTRIC CAPITAL CORP	*	
OF PUERTO RICO	*	
	*	
APPELLANT-DEFENDANT	*	

**DESIGNATION OF THE ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL
AND STATEMENT OF ISSUES TO BE PRESENTED**

TO THE HONORABLE COURT:

COMES NOW, GENERAL ELECTRIC CAPITAL CORPORATION OF PUERTO RICO, hereinafter referred to as the Apellant, through the undersigned attorney and in compliance with Rule 8006 of Rules of Bankruptcy Procedure most respectfully submits the designation of the items to be included in the record on appeal and the statement of issues to be presented, as follows:

I. DESIGNATION OF ITEMS

<u>DOCUMENT</u>	<u>DATE</u>	<u>DOCKET NO.</u>
1. Complaint	July 13, 2004	1
2. Order	July 13, 2004	2
3. Motion for enlargement of time	August 12, 2004	5
4. Answer to Complaint	August 30, 2004	6
5. Motion for enlargement of time	October 04, 2004	9
6. Minutes	November 12, 2004	10
7. Motion requesting order and sanctions	February 17, 2005	12
8. Reply to Plaintiffs request	March 07, 2005	13
9. Motion as to Pretrial	March 07, 2005	14
10. Motion to Dismiss Complaint	March 08, 2005	15
11. Minutes of proceeding	March 08, 2005	16
12. Reply to Motion to Dismiss	April 04, 2005	17
13. Order	May 17, 2005	20
14. Plaintiff's Pretrial Report	July 31, 2005	26
15. Motion Requesting Presumption of Proceeding	December 14,2005	30
16. Decision and Order	February 24, 2006	31
17. Subpoena	April 20, 2006	34
18. Motion Requesting Dismissal of Subpoena	April 28, 2006	35
19. Order	May 22, 2006	37
20. Urgent Motion filed by defendant	June 07, 2006	39
21. Motion Submitting Supp. Pleading	June 07, 2006	41

22. Order	June 07, 2006	42
23. Opposition to Supp. Pleading	June 08, 2006	43
24. Motion to Strike Allegations from Complaint	June 08, 2006	44
25. Minutes of Proceeding Order	June 09, 2006	47
26. Transcript	June 23, 2006	46
27. Motion Objecting transcript	August 12, 2006	49
28. Motion in compliance with order	August 15, 2006	50
29. Order	August 18, 2006	51
30. Amended Transcript	October 03, 2006	54
31. Memorandum of law	October 05, 2006	55
32. Order	October 10, 2006	58
33. Motion in compliance with order	October 25, 2006	60
34. Decision and Order	November 20, 2007	61
35. Motion for Reconsideration	December 06, 2007	63
36. Application for Compensation	December 17, 2007	64
37. Opposition to Reconsideration	December 17, 2007	65
38. Opposition to statement of fees	January 24, 2008	66
39. Reply to Opposition	January 24, 2008	67
40. Sur-Reply to Motion of Reconsideration	February 25, 2008	68
41. Sur-Reply to Opposition to statement of fees	February 25, 2008	69
42. Reply to Plaintiffs' Sur-Reply	March 06, 2008	70
43. Reply to Plaintiffs' Sur-Reply	March 11, 2008	71

44. Decision and Order

February 11, 2009

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II. STATEMENT OF ISSUES ON APPEAL

A.

Whether the Bankruptcy Court erred in determining that Appellant was not entitled to interests and late charges.

B.

Whether the Bankruptcy Court erred in determining that Appellant attempts to collect interest violated the discharge injunction.

C.

Whether the Bankruptcy Court erred in determining that Appellant violated the automatic stay.

D.

Whether the Bankruptcy Court erred in granting Appellees economic loss damages, emotional damages and punitive damages.

E.

Whether the Bankruptcy Court erred in granting Appellees costs and attorney fees.

RESPECTFULLY SUBMITTED

I hereby certify that this motion has been electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification to the attorneys of record.

In San Juan, Puerto Rico, this 5th day of March 2009.

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